

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) and 8C(1) and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16). They address failures of retained EU law to operate effectively arising from the withdrawal of the UK from the European Union (and in particular the deficiencies under paragraphs (a), (b), (c) and (g) of section 8(2) of that Act).

These Regulations amend Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') as it forms part of the law of Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018.

Part 2 applies to Northern Ireland and is made in order to amend the IMI Regulation to allow for compliance with the Commission Decision of 16 October 2020 C(2020) 7126 granting the United Kingdom acting in respect of Northern Ireland access to networks, information systems or databases established on the basis of Union law ('the Decision') and made under Article 13(5) of the Northern Ireland Protocol relating to use of the internal market information ('IMI') system.

This allows the IMI system to continue to be available in the UK in respect of Northern Ireland to allow administrative cooperation with the EU in relation to certain IMI modules relating to the mutual recognition of goods (through SOLVIT: the Internal Market Problem Solving Network), the return of cultural objects to the EU and firearms transfer authorisations as provided for in the Annex to the Decision.

Chapter 1 of Part 3 revokes redundant EU tertiary legislation for England and Wales, Scotland and Northern Ireland. Chapter 2 of Part 3 revokes the IMI Regulation in respect of England and Wales and Scotland. This chapter also revokes retained EU law in respect of England and Wales and Scotland relating to firearms transfer authorisations.

The Decision can be found at <https://ec.europa.eu/transparency/regdoc/rep/3/2020/EN/C-2020-7126-F1-EN-MAIN-PART-1.PDF>.

The Annex to the Decision is at <https://ec.europa.eu/transparency/regdoc/rep/3/2020/EN/C-2020-7126-F1-EN-ANNEX-1-PART-1.PDF>.

A hard copy of the Decision is available on request from the Trade, International, the Union and Analysis Directorate, Department of Business, Energy and Industrial Strategy, 1 Victoria Street London SW1H 0ET.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the public, private or voluntary sector is foreseen.